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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,083	07/10/2000	John R. Ehrman	STL9-2000-0055	9437

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EXAMINER
PAULA, CESAR B

ART UNIT	PAPER NUMBER
2178	4

DATE MAILED: 11/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Applicati n N .	Applicant(s)	
Office Action Summary	09/613,083	EHRMAN, JOHN R.	
	Examiner	Art Unit	
	CESAR B PAULA	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the corresp ndence address --

P ri d for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 February 2001_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-24_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-24_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _10 July 2000_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachm nt(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2_ .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

1.   This action is responsive to the application, and IDS filed on 7/10/2000, and 2/2/2001

respectively.

This action is made Non-Final.

2.   Claims 1-24 are pending in the case. Claims 1, 9, and 17 are independent claims.

Information Disclosure Statement

3.   The information disclosure statement filed 2/2/2001 fails to comply with 37 CFR

1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that

portion which caused it to be listed; and all other information or that portion which caused it to

be listed. It has been placed in the application file, but the information referred to therein has not

been considered. The references whose copies are missing have been crossed out indicating the

references which have not been considered, because their hard copies are missing from the case.

Drawings

4.   The drawings filed on 7/10/2000 have been accepted by the examiner.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
subject matter which the applicant regards as his invention.

6.   Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention. The term "constant" in claims 1, 9, and 17 is used by the claim to mean "a

memory location for storing non-Unicode data and Unicode data" (lines 5, 12-13, lines 4-5, 10-

11, and lines 4-5, and 11-12 respectively) while the accepted meaning of the word "constant" is

"a named item that retains a consistent value throughout the execution of a program, as opposed

to a variable, which can have its value changed during execution" (Microsoft Press Computer

Dictionary, third ed., 1997, page 114). There is a conflict between the accepted term of art for the

word "constant", and the meaning accorded to this word in the claims. According to MPEP 2106

(C):

> If the applicant asserts that a term has a meaning that conflicts with the term's art-
> accepted meaning, Office personnel should encourage the applicant to amend the claim
> to better reflect what applicant intends to claim as the invention. If the application
> becomes a patent, it becomes prior art against subsequent applications. Therefore, it is
> important for later search purposes to have the patentee employ commonly accepted
> terminology, particularly for searching text-searchable databases.

7.   Where applicant acts as his or her own lexicographer to specifically define a term of a

claim contrary to its ordinary meaning, the written description must clearly redefine the claim

term and set forth the uncommon definition so as to put one reasonably skilled in the art on

notice that the applicant intended to so redefine that claim term. *Process Control Corp. v.*

HydReclaim Corp., 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term

"constant" in claims 1, 9, and 17 is used by the claim to mean "a memory location for storing

non-Unicode data and Unicode data" (lines 5, 12-13, lines 4-5, 10-11, and lines 4-5, and 11-12

respectively) while the accepted meaning of the word "constant" is "<u>a named item that retains a</u>

<u>consistent value throughout the execution of a program, as opposed to a variable, which can have</u>

<u>its value changed during execution</u>" (Microsoft Press Computer Dictionary, third ed., 1997, page

114). The term is indefinite because the specification does not clearly redefine the term.

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over the

applicant's disclosure (pages 3-7, filed on 7/10/2000), in view of Edberg et al, hereinafter Edberg

(Pat. # 5,793,381, 8/11/1998, as disclosed by the applicant on 2/2/2001).

        Regarding independent claim 1, applicant discloses the translation of a text string—

"abcDEF" from an non-Unicode format—"SBCS"-- to Unicode (page 5, lines 10-28). A

Hexadecimal encoding of the non-Unicode text string—*constant*-- is created, and stored in

memory locations (boxes enclosing the character encoding) found in computer memory (lines

19-21).

        Moreover, applicant discloses the translation of the text string—"abcDEF" as stored in

hexadecimal code in memory to Unicode format hexadecimal code, and replacing the same

characters with Unicode code stored in memory—*storing the Unicode character string in the constant* (page 5, lines 10-28).

Moreover, the applicant fails to explicitly disclose: *an article of manufacture for use in a computer system for creating a string of Unicode characters stored in memory...* However, Edberg teaches a code converter stored in a computer readable medium for converting non-Unicode strings to Unicode using a mapping table—*code page*-- containing the Unicode or "second character encoding" for converting the non-Unicode string to Unicode (col.3, lines 57-61, and col.4, lines 10-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of applicant, and Edberg, because this would provide the benefit of quickly providing a central location in memory, where the conversion code would be found, thus avoiding the time consuming task of looking for codes scattered throughout the computer memory.

Moreover, the applicant fails to explicitly disclose: *retrieving a specification in which the non-Unicode character string is encoded, and translating the non-Unicode character string...responsive to the specification of the code page.* However, Edberg teaches a code converter stored in a computer readable medium for converting non-Unicode strings to Unicode using a mapping table—*code page*-- containing the Unicode or "second character encoding" for converting the non-Unicode string to Unicode (col.3, lines 57-61, and col.4, lines 10-67). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of applicant, and Edberg, because this would provide the benefit of quickly providing a central location in memory, where the conversion code would be found, thus

avoiding the time consuming task of looking for codes scattered throughout the computer

memory.

Moreover, the applicant fails to explicitly disclose: *the Unicode character string is*

created responsive to the entry of the non-Unicode character string without the entry of the

Unicode character string. However, Edberg teaches a code converter stored in a computer

readable medium for converting non-Unicode strings, such as strings input into an email

document, to Unicode using a mapping table—*code page*-- containing the Unicode or "second

character encoding" for converting the non-Unicode string to Unicode (col.2. lines 1-67, col.3,

lines 57-61, and col.4, lines 10-67). It would have been obvious to a person of ordinary skill in

the art at the time of the invention to have combined the teachings of the applicant, and Edberg,

because Edberg teaches ensuring the fidelity between back and forth translation between

different data encodings. This would provide the advantage of providing a standardized data

encoding for documents created, and exchanged from countries using different encoding

schemes.

Regarding claim 2, which depends on claim 1, applicant discloses the translation of a text

string—"abcDEF" from a non-Unicode format—"SBCS"-- to Unicode (page 5, lines 10-28).

Regarding claim 3, which depends on claim 1, applicant discloses the translation of a text

string—"<wxyz>" from a non-Unicode format—"pure DBCS"-- to Unicode (page 7, lines 1-

17).

Regarding claim 4, which depends on claim 1, applicant discloses the translation of a text string—"AB<wxyz>CD" from a non-Unicode format—"mixed SBCS/DBCS"-- to Unicode (page 6, lines 1-24).

Regarding claim 5, which depends on claim 1, applicant discloses the translation of a text string—"abcDEF"-- from a non-Unicode format—"SBCS"-- to Unicode (page 5, lines 10-28). The applicant fails to explicitly disclose: *the translation is performed by the computer according to a scope, the scope specifying a portion of a computer program subject to the translation.* However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have translated the portion of the computer program, because the applicant teaches above the use of Unicode format. This would provide the advantage of providing a standardized data encoding for computer programs created, and exchanged from countries using different encoding schemes.

Regarding claim 6, which depends on claim 5, applicant discloses the translation of a text string—"abcDEF"-- from a non-Unicode format—"SBCS"-- to Unicode (page 5, lines 10-28). the applicant fails to explicitly disclose: *the scope is global, the global scope specifying that the translation applies to the entire computer program.* However, Edberg teaches a code converter stored in a computer readable medium for converting non-Unicode strings, such as all strings input into an email document, to Unicode using a mapping table—*code page*-- containing the Unicode or "second character encoding" for converting the non-Unicode string to Unicode (col.2. lines 1-67, col.3, lines 57-61, and col.4, lines 10-67). It would have been obvious to a

person of ordinary skill in the art at the time of the invention to have combined the teachings of

the applicant, and Edberg, because Edberg teaches ensuring the fidelity between back and forth

translation between different data encodings. This would provide the advantage of providing a

standardized data encoding for documents created, and exchanged from countries using different

encoding schemes.

Regarding claim 7, which depends on claim 5, applicant discloses the translation of a text

string—"<wxyz>" (subsequent to the SBCS, and mixed string) from a non-Unicode format—

"pure DBCS"-- to Unicode (page 7, lines 1-17). The applicant fails to explicitly disclose: *the*

local scope specifying the subsequent portion of the computer program. However, it would have

been obvious to a person of ordinary skill in the art at the time of the invention to have translated

the subsequent portion of the computer program, because the applicant teaches above the use of

Unicode format. This would provide the advantage of providing a standardized data encoding for

computer programs created, and exchanged from countries using different encoding schemes.

Regarding claim 8, which depends on claim 5, applicant discloses the translation of a text

string—"abcDEF" (*specific constant*) from a non-Unicode format—"SBCS"-- to Unicode (page

5, lines 10-28).

Claims 9-16 are directed towards a method for implementing the article of manufacture

found in claims 1-8 respectively, and therefore are similarly rejected.

Claims 17-24 are directed towards a computer system for implementing the article of

manufacture found in claims 1-8 respectively, and therefore are similarly rejected.

Conclusion

I.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Tye (Pat. # 6,055,365), Lim et al. (Pat. # 5,689,723), Meade et al. (Pat. # 6,507,812), and

Sun (Pat. # 5,802,482).

II.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cesar B. Paula whose telephone number is (703) 306-5543. The

examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m.

(EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Heather Herndon, can be reached on (703) 308-5186. However, in such a case, please allow at

least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this Action should be mailed to:

        Director United States Patent and Trademark Office

        Washington, D.C. 20231

Or faxed to:

- **(703) 703-872-9306,** (for **all** Formal communications intended for entry)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

CESAR B PAULA
Patent Examiner
Art Unit 2178

11/3/03